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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,347	09/22/2003	Teruyuki Maruyama	243043US2	7039
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EXAMINER LAI, MICHAEL C				
ART UNIT 2457		PAPER NUMBER		
NOTIFICATION DATE 04/28/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/665,347

Applicant(s)

MARUYAMA, TERUYUKI

Examiner

MICHAEL C. LAI

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 76-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 76-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE-US)
Paper No(s)/Mail Date 1/15/2010
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is responsive to amendment filed on 3/17/2010.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/17/2010 has been entered.

Response to Amendment

3. The examiner has acknowledged the cancelled claims 1-24, 42-48, and new claims 76-82. Claims 76-82 are pending.

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Specification

5. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
6. The incorporation of essential material in the specification by reference to an unpublished U.S. application, foreign application or patent, or to a publication is

improper. Applicant is required to amend the disclosure to include the material incorporated by reference, if the material is relied upon to overcome any objection, rejection, or other requirement imposed by the Office. The amendment must be accompanied by a statement executed by the applicant, or a practitioner representing the applicant, stating that the material being inserted is the material previously incorporated by reference and that the amendment contains no new matter. 37 CFR 1.57(f). Note that the last paragraph of the specification should be moved to the beginning of the specification to overcome this objection.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 82 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 82 recites the limitation of "a setting information acquisition unit configured to, in response to the print request for the image data or the document stored in the storage device of the document source apparatus from the information processing apparatus, cause the information processing apparatus to transmit a transmission request for print setting information for the document source apparatus to the document source apparatus to acquire the setting

information from the document source apparatus" in lines 3-8. The limitation is narrative and indefinite, failing to conform with current U.S. practice.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 76, 79-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata (US 6,778,289 B1, hereinafter Iwata), and in view of Ferlitsch (US 7,471,407 B2, hereinafter Ferlitsch).

Regarding claim 76, Iwata discloses an image forming apparatus [Fig. 4, E101 Printer] configured to serve as a document destination apparatus for receiving and printing first image data or a first document stored in another image forming apparatus, the image forming apparatus comprising:

a communication unit configured to communicate with the other image forming apparatus connected via a network [Fig. 3, P106 LAN Interface and col. 5, lines 33-36];

a document reception unit configured to transmit a first transmission request for the first image data or the first document to the other image forming apparatus and to receive the first image data or the first document stored in the other image forming apparatus via the communication unit [Fig. 6, M108 Document Data Acquisition Unit and col. 8, lines 43-56];

a printing unit configured to print the first image data or the first document [Fig. 3, P107 Print Engine, col. 5, lines 36-38, and col. 8, lines 50-56];

a print execution unit configured to use the printing unit to print the first image data or the first document received from the other image forming apparatus via the document reception unit [Fig. 6, M109 Image Rendering Unit, M110 Image Forming Unit and col. 9, lines 15-22];

a document storage unit configured to store the second image data or the second document [Fig. 3, P103 RAM and col. 5, lines 27-30].

Iwata discloses the claimed invention except for wherein the image forming apparatus is configured to serve as a document source apparatus having a document management unit configured to, in response to receipt of a second transmission request for the second image data or the second document from the other image forming apparatus, transmit the second image data or the second document stored therein to the other image forming apparatus via the communication unit. Ferlitsch teaches peer-to-peer printing system bypassing any print server. In Ferlitsch's system, files are shared among image forming apparatuses [col. 12, lines 5-17]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Ferlitsch's teaching into Iwata's system for the purpose of bypassing any print server by configuring the image forming apparatus also as a document source apparatus for transmitting second image data or a second document stored

therein to the other image forming apparatus, thereby creating a true P2P file sharing network.

Regarding claim 79, Iwata further discloses wherein the network comprises a wired LAN or a wireless LAN [Fig. 3 and 4].

Regarding claim 80, Iwata discloses an image forming system comprising:
a document destination apparatus being coupled to a document source apparatus via a network, the document destination apparatus including
a second printing unit configured to print the image data or the document [Fig. 3, P107 Print Engine, col. 5, lines 36-38, and col. 8, lines 50-56],

a document reception unit configured to transmit the transmission request for the image data or the document to the document source apparatus and to receive the image data or the document stored in the document source apparatus via the communication unit [Fig. 6, M108 Document Data Acquisition Unit and col. 8, lines 43-56],

a print execution unit configured to use the second printing unit to print the image data or the document received from the document source apparatus via the document reception unit [Fig. 6, M109 Image Rendering Unit, M110 Image Forming Unit and col. 9, lines 15-22].

Iwata discloses the claimed invention except for a document source apparatus including a document storage unit configured to store image data or a document, a first printing unit configured to print the image data or the document, and a document management unit configured to, in response to receipt of a

transmission request for the image data or the document from a document destination apparatus, transmit the image data or the document stored therein to the document destination apparatus via a communication unit. Ferlitsch teaches peer-to-peer printing system bypassing any print server. In Ferlitsch's system, files are shared among image forming apparatuses [col. 12, lines 5-17]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Ferlitsch's teaching into lwata's system for the purpose of bypassing any print server by configuring a document source apparatus for transmitting the image data or the document stored therein to the document destination apparatus via a communication unit, thereby creating a true P2P file sharing network.

Regarding claim 81, lwata discloses an image forming system comprising:
a document destination apparatus comprising a second image forming unit of printing the image data or the document stored in the storage device [Fig. 4, E101],

an information processing apparatus being coupled to a server [Fig. 4, E103 Server] and the document destination apparatus via a network, the information processing apparatus comprising a print request unit configured to issue a print request for the image data or the document stored in the server to the document destination apparatus, the print request causing the document destination apparatus to communicate with the server and to acquire and print the image

data or the document stored in the storage device of the server [Fig. 4, E102 Computer].

Iwata discloses the claimed invention except for a document source apparatus including a storage device configured to store image data or a document, the document source apparatus comprising a first image forming unit. Ferlitsch teaches peer-to-peer printing system bypassing any print server. In Ferlitsch's system, files are shared among image forming apparatuses [col. 12, lines 5-17]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Ferlitsch's teaching into Iwata's system for the purpose of bypassing any print server by configuring a document source apparatus similar to the document destination apparatus, thereby creating a true P2P file sharing network.

Regarding claim 82, Iwata further discloses wherein the document destination apparatus comprises

a setting information acquisition unit configured to, in response to the print request for the image data or the document stored in the storage device of the server from the information processing apparatus, cause the information processing apparatus to transmit a transmission request for print setting information for the server to the server to acquire the setting information from the server [Fig. 6, M104 Document Information Processor and col. 7, lines 37-42];

a document acquisition unit configured to transmit a document acquisition request to the server to acquire the image data or the document from the server [Fig. 6, M108 Document Data Acquisition Unit and col. 8, lines 43-56]; and

a printing unit configured to print the image data or the document stored in the server based on the setting information [Fig. 3, P107 Print Engine, col. 5, lines 36-38, and col. 8, lines 50-56; Fig. 6, M109 Image Rendering Unit, M110 Image Forming Unit and col. 9, lines 15-22].

Iwata discloses the claimed invention except for: a setting information transmission unit and a document transmission unit for the document source apparatus. As discussed above, Ferlitsch teaches peer-to-peer printing system bypassing any print server. In Ferlitsch's system, files are shared among image forming apparatuses [col. 12, lines 5-17]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Ferlitsch's teaching into Iwata's system for the purpose of bypassing any print server by configuring a setting information transmission unit and a document transmission unit for the document source apparatus the same as for the document destination apparatus, thereby creating a true P2P file sharing network.

11. Claims 77-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata and Ferlitsch as applied to claim 76, and further in view of Butterworth et al. (US 2004/0133656 A1, hereinafter Butterworth).

Regarding claim 77, Iwata and Ferlitsch disclose the claimed invention except for wherein the document reception unit receives the first image data or the first document stored in the other image forming apparatus from the other image forming apparatus through a web service for providing the first image data or the first document in a SOAP based HTTP response in response to a SOAP based HTTP request indicative of the first transmission request for the first image data or the first document. However, Butterworth teaches that messages between clients and web services may use SOAP (Simple Object Access Protocol) based HTTP [para. 0012]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Butterworth's teaching into Iwata's and Ferlitsch's system for the purpose of defining a uniform way of passing XML-encoded data and defining a way to perform remote procedure calls using HTTP (or another transport protocol) as the underlying communication protocol by using a SOAP, thereby increasing the opportunities for reuse, as the service places essentially no constraints on the platform, language, or location of its clients [para. 0012].

Regarding claim 78, Iwata and Ferlitsch disclose the claimed invention except for wherein the document management unit comprises a web service for providing the second image data or the second document in a SOAP based HTTP response in response to a SOAP based HTTP request indicative of the second transmission request for the second image data or the second document. However, Butterworth teaches that messages between clients and web services

may use SOAP (Simple Object Access Protocol) based HTTP [para. 0012]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Butterworth's teaching into Iwata's and Ferlitsch's system for the purpose of defining a uniform way of passing XML-encoded data and defining a way to perform remote procedure calls using HTTP (or another transport protocol) as the underlying communication protocol by using a SOAP, thereby increasing the opportunities for reuse, as the service places essentially no constraints on the platform, language, or location of its clients [para. 0012].

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. LAI whose telephone number is (571)270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
24APR2010

/YVES DALENCOURT/
Primary Examiner, Art Unit 2457